

**BOISE, MONDAY, JUNE 9, 2008 AT 8:50 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

<b>ROBERT L. AREL,</b>	)	
	)	
<b>Claimant-Appellant,</b>	)	
	)	
<b>v.</b>	)	<b>Docket No. 34562</b>
	)	
<b>T &amp; L ENTERPRISES, INC., Employer, and</b>	)	
<b>STATE INSURANCE FUND, Surety,</b>	)	
	)	
<b>Defendants-Respondents.</b>	)	

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Appeal from the State Industrial Commission.

Starr Kelso Law Office, Chtd., Coeur d'Alene, for appellant.

Hon. Lawrence G. Wasden, Idaho Attorney General, Boise, for respondents.

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Appellant Robert L. Arel was employed by Respondent T& L Enterprises, Inc. (T &L). On November 27, 2004, while performing his job with T & L, Arel slipped on a log and fell. Arel continued to work and did not report the incident. After a doctor appointment in 2005, Arel learned that he may have injuries attributable to his fall. After that appointment on March 31, 2005, Arel drove to T & L and advised it of the fall which occurred on November 27, 2004.

On June 3, 2005, Arel filed a workers' compensation complaint with the Idaho Industrial Commission (the Commission). The Commission dismissed Arel's complaint based on his failure to give timely notice of the accident. Arel then filed this appeal.

On appeal, Arel argues it was only necessary he give T & L notice of his accident within sixty days after he discovered the accident caused a personal injury. Arel also argues I.C. § 72-701 violates the Equal Protection Clause of the federal and state constitutions, and article III, section 19 of the Idaho Constitution.

**BOISE, MONDAY, JUNE 9, 2008 AT 10:00 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**STATE OF IDAHO,**

**Plaintiff-Respondent,**

**v.**

**THOMAS H. THOMAS,**

**Defendant-Appellant.**

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**Docket No. 34741**

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Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Renae J. Hoff, District Judge.

Molly J. Huskey, State Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General, State of Idaho, Boise, for respondent.

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This matter comes before the Idaho Supreme Court on Thomas H. Thomas's petition to review a decision of the Idaho Court of Appeals.

In 2005, Thomas was convicted for unlawfully possessing a firearm. The district court imposed a unified five-year sentence with a four-year determinate term, suspended the execution of the sentence, and placed Thomas on probation. Approximately four months later probation officers received a report that Thomas had been drinking. When they went to his house to investigate, Thomas was holding a baseball bat when he answered the door. Thomas was arrested and asked to take a breathalyzer test which he refused to do. Thomas subsequently admitted to violating a term of his probation. The district court revoked Thomas's probation and ordered the execution of his underlying sentence.

Thomas filed a motion to reduce his sentence pursuant to Idaho Criminal Rule 35 which the district court denied. He appealed that denial to the Idaho Court of Appeals. Thomas also appealed the district court's order revoking his probation. The Court of Appeals affirmed the denial of Thomas's motion for a reduction of his sentence and did not address the merits of his appeal regarding probation revocation because it was not timely filed.

Thomas argues on appeal that decision of the Idaho Court of Appeals is in conflict with its previous decisions as well as the decisions of the Idaho Supreme Court. The state rejects Thomas's arguments, and argues on appeal that the Idaho Supreme Court does not have jurisdiction to review Thomas's sentence because his appeal was not timely filed.

**BOISE, MONDAY, JUNE 9, 2008 AT 11:10 A.M.**

IN THE SUPREME COURT OF THE STATE OF IDAHO

**CLIFFORD GALLI,**  
**Claimant-Appellant,**

**V.**

**N.A. DAGERSTROM, INC.,  
Defendants-Respondents.**

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Docket No. 33999

**BOISE, MONDAY, JUNE 9, 2008 AT 3:00P.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**FEDERATED PUBLICATIONS, INC., a )  
Delaware corporation, dba THE IDAHO )  
STATESMAN, )**

**Plaintiff-Respondent, )**

**v. )**

**IDAHO BUSINESS REVIEW, INC., an )  
Idaho corporation, )**

**Defendant-Appellant. )**

**Docket No. 34343**

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Hon. Deborah A. Bail, District Judge.

Holland & Hart, LLP, Boise, for appellant.

Evans Keane, LLP, Boise, for respondent.

Givens Pursley, LLP, Boise, *amicus curiae*.

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This case involves a request by Federated Publications, Inc., which owns and operates The Idaho Statesman, for

a declaration from the Court that Idaho Code Section 60-106 applies to all legal notices, advertisements or publications of any kind required or provided by the laws of the state of Idaho, including both government and private notice, and that such notice must be published in the newspaper having the largest paid circulation within the boundaries of the governmental entity wherein the notice is required to be published.

Therefore, this case also involves the interpretation of Idaho Code § 60-106, as well as the title of the 1994 bill amending Idaho Code § 60-106. The Idaho Business Review contends that the district court erred when it held that its interpretation of the amendment did not violate the subject-in-title requirement of Article III, § 16 of Idaho's constitution.